

JAP:EEA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

COMPLAINT

(T. 18, U.S.C. § 2252(a)(2))

LUIS ESCOBOSA,

Defendant.
----- X

EASTERN DISTRICT OF NEW YORK, SS:

STACY SHAHRANI, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

On or about and between February 4, 2015 and March 3, 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant LUIS ESCOBOSA did knowingly receive and distribute any visual depiction, the production of such visual depiction having involved the use of one or more minors engaging in sexually explicit conduct and such visual depiction was of such conduct, using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce or which contains materials which have been mailed or so shipped or transported, by any means including by computer.

(Title 18, United States Code, Section 2252(a)(2)).

The source of your deponent's information and the grounds for her belief are as follows:

1. I have been a Special Agent with the FBI since December 2008 and am currently assigned to the New York Office. Since July 2013, I have been assigned to a Crimes

Against Children squad and have investigated violations of criminal law relating to the sexual exploitation of children. I have gained expertise in this area through classroom training and daily work conducting these types of investigations. As a result of my training and experience, I am familiar with the techniques and methods used by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities. As part of my responsibilities, I have been involved in the investigation of numerous child pornography ("CP") cases and have reviewed thousands of photographs depicting children (less than eighteen years of age) being sexually exploited by adults. Through my experience in these investigations, I have become familiar with methods of determining whether a child is a minor. I am also a member of the Eastern District of New York Project Safe Childhood Task Force.

2. I have personally participated in the investigation of the offenses discussed below. I am familiar with the facts and circumstances of this investigation from: my own personal participation in the investigation, my review of documents, my training and experience, and discussions I have had with other law enforcement personnel concerning the creation, distribution, and proliferation of CP. Additionally, statements attributable to individuals herein are set forth in sum and substance and in part.

3. A website ("Website A") was operated on a network ("the Network") available to Internet users who are aware of its existence. The Network is designed specifically to facilitate anonymous communication over the Internet. Websites that are accessible only to users within the Network can be set up within the Network and Website A was one such website. Website A could not generally be accessed through the traditional Internet. Only a user who had installed the appropriate software on the user's computer could access Website A. Even after connecting to the Network, however, a user had to know the exact web address of Website A in

order to access it. Unlike on the traditional Internet, a user could not simply perform a Google search for the name of Website A, obtain the web address for Website A, and click on a link to navigate to Website A. Rather, a user had to have obtained the web address for Website A directly from another source, such as other users of Website A, or from online postings describing both the sort of content available on Website A and its location. Accessing Website A therefore required numerous affirmative steps by the user.

4. Website A was a child pornography bulletin board and website dedicated to the advertisement and distribution of child pornography and the discussion of matters pertinent to the sexual abuse of children, including the safety and security of individuals who seek to sexually exploit children online. On or about February 20, 2015, the computer server hosting Website A was seized from a web-hosting facility in Lenoir, North Carolina. Between February 20, 2015, and March 4, 2015, law enforcement agents acting pursuant to an order of the United States District Court for the Eastern District of Virginia monitored electronic communications of users of Website A.

5. According to data obtained from logs on Website A, monitoring by law enforcement, and the deployment of a NIT, a user with the user name "Fraud92787" engaged in the following activity on Website A.

6. The profile page of user "Fraud92787" indicated this user originally registered an account on Website A on February 4, 2015. Profile information on Website A may include contact information and other information that is supplied by the user. It also contains information about that user's participation on the site, including statistical information about the user's posts to the site and a categorization of those posts. According to the user "Fraud92787" profile, this user was a "Newbie Member" of Website A. Further, according to the Statistics

section of this user's profile, the user "Fraud92787" had been actively logged into the website for a total of 4 hours and 16 minutes between the dates of February 4, 2015 and March 3, 2015.

7. According to data obtained from logs on Website A, monitoring by law enforcement, and the deployment of a NIT, on February 27, 2015 the user "Fraud92787" engaged in the following activity on Website A from IP address 100.37.65.116. During the session described below, this user browsed Website A after logging into Website A with a username and a password.

8. On February 27, 2015, the user "Fraud92787" with IP address 100.37.65.116 accessed the post entitled "Vnights (10yo girl fuck and cum) (v good –hot cum shot) little asgirl fucked". Among other things, this post contained a link to an image file, a link to a cloud account and a password to access the files along with comments from other users. One user commented, "...It is great how these little asian girls get properly penetrated, very rare elsewhere!" Another user commented, "reuploaded file to another host". Finally another user commented, "This is how a child should be fucked. Best video ever." Based on these comments and the links and passwords provided, it is likely these files contained child pornography.

9. During the following additional sessions, the user "Fraud92787" also browsed Website A after logging into Website A with a username and password. During these sessions, the user's IP address information was not collected.

10. On February 27, 2015 at 12:36 UTC + 5, the user "Fraud92787" accessed a post that contained a link to an image that depicted a video preview content sheet. The video content sheet is entitled "2.wmv" and contains screen shots from a video of an adult male and a prepubescent female. The video screenshot content sheet depicts the prepubescent female being anally penetrated by an adult male penis and engaging in oral sex on an adult male penis. At

least one of the screen shots depicts an adult male masturbating the prepubescent female's vagina. Several of the screen shots depict an adult male inserting what appear to be pink-colored anal beads into the prepubescent female's anus.

11. On March 3, 2015 at 13:48 UTC +5, the user "Fraud92787" accessed a post that contained a link to an image that depicted approximately 70 images most of which contained child pornography. Specifically the image was entitled "Michel Sisters" and contained images of three prepubescent females, approximately five to eight years old, performing oral sex on each other in one image and performing oral sex on an adult male penis in other images. In several images an adult male penis penetrates one of the prepubescent female's vaginas. In several images one of the females inserts a dildo into her vagina.

12. Using publicly available websites, FBI Special Agents were able to determine that the above IP Address was operated by the Internet Service Provider ("ISP") Verizon FIOS on February 27, 2015 at 7:35 UTC.

13. In March 2015, an administrative subpoena/summons was served to Verizon FIOS requesting information related to the user who was assigned to the above IP address. According to the information received from Verizon FIOS, Individual A is receiving Internet service at an address in Staten Island, New York ("Staten Island address") with an installation date of October 1, 2014. Internet service was current as of March 4, 2015 at the aforementioned premises.

14. On June 30, 2015, FBI agents executed a search warrant, issued on June 25, 2015, by the Honorable Lois Bloom, at the Staten Island address.

15. LUIS ESCOBOSA, a resident at the Staten Island address, was present when agents executed the search warrant.

16. Agents provided a copy of the search warrant and items to be seized to ESCOBOSA to read. The agents informed ESCOBOSA that they were there to execute the search warrant. Agents advised ESCOBOSA of his Miranda rights. He stated that he understood his rights and initially invoked his right to counsel and did not want to speak to agents.

20. Subsequently, ESCOBOSA asked to speak with agents, who again advised him of his Miranda rights and he waived his rights at that time. ESCOBOSA agreed to speak with agents. During the interview, in sum and substance and in part, ESCOBOSA admitted that he downloaded CP and is mostly interested in females ages 15 to 17. ESCOBOSA admitted to downloading, and masturbating to CP ages 13 to 16. ESCOBOSA uses his computer to access TOR and admitted to having the username Fraud92787 on the website "Playpen." ESCOBOSA told agents he had approximately 100 CP files on his computer but agents would not find them because he deletes them. After "Playpen" went down, ESCOBOSA continued to view CP using other Tor websites.¹

21. A review was conducted of ESCOBOSA's devices revealed the following: a) approximately 115 files of CP thumbnails located in the thumbcache; b) image of Tor Browser icon in a folder found in thumbcache; c) three thumbcache images not containing CP but recognized from a known series; d) mIRC channels listed include "childporn"; and e) mIRC chat from #TeenWorld.

22. One of the thumbnail images recovered from ESCOBOSA's devices, bearing the file name a3ee99d0c60f1ac3, depicts a nude female, approximately 7 to 10 years old, from the shoulders down lying on what appears to be a bed with pink and white colored


¹ ESCOBOSA agreed to, took and passed a polygraph regarding his past as to whether he had sexual contact with a minor.

covering. The minor female is being vaginally penetrated by an adult male penis. The adult male appears to be on his knees and his hand is holding the part of his penis that is not inside the minor female's vagina.

23. Another thumbnail image recovered from ESCOBOSA's devices, bearing the file name 169dea3aafe8c9de, depicts a nude minor female, approximately 7 to 10 years old, with her mouth on the scrotum of an adult male penis. The adult male's stomach and penis are in the image as well as the face and shoulder of the minor female.

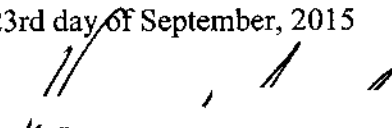
24. The devices bearing the thumbnail images noted above were recovered from ESCOBOSA's bedroom.

WHEREFORE, your deponent respectfully requests that the defendant LUIS ESCOBOSA be dealt with according to law.



Stacy H. Shahrani
Special Agent
Federal Bureau of Investigation

Sworn to before me this
23rd day of September, 2015



S/ Vera Scanlon
THE HONORABLE VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK